

REMARKS

This paper is responsive to a non-final Office action dated August 27, 2003. Claims 1-6 and 8-20 were examined. The following issues, either raised by the Office or pertinent to the present application, will be addressed below: I) the application's title; II) the double patenting rejection; III) claim rejections under 35 USC section 102; and IV) addition of claims 21-55.

I. Title of the Application

In the most recent official action, the Office stated that the title of the application was not descriptive, and that a new title, clearly indicative of the invention to which the claims are directed, was required. In compliance with this requirement, the title of the application will be changed to, *Speculatively Locking Computer Resources*. The applicant notes for the record, that while the new title is believed to be descriptive of the invention claimed, the scope of the applicant's invention is properly determined by reference to the claims themselves.

II. Double Patenting Rejection

The Office rejected claims 1-6 and 8-19 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-18 of U.S. Patent No. 6,282,637. As noted below, claims 1-6 and 8-19 are being replaced by claims 21-55. The double patenting rejection of claims 1-6 and 8-19 is, therefore, believed to be moot.

III. Claim Rejections under 35 USC 102

The Office rejected claims 1-6 and 8-20 under 35 USC 102(b) as being anticipated by U.S. Patent No. 5,168,564 issued to Barlow (hereinafter referred to as "Barlow"). As noted below, claims 1-6 and 8-19 are being replaced by claims 21-55. The rejection of claims 1-6 under 35 USC 102 (b) is, therefore, believed to be moot.

IV. Addition of New Claims

Claims 21-55 are being added to the present application to more fully claim what the applicant believes to be his invention. All the added claims are fully supported by the specification as filed, and no new matter has been added.

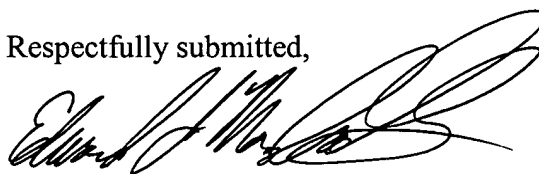
The applicant believes the newly presented claims are allowable over the prior art cited by the Office to date. In particular, the applicant believes claims 21-55 are allowable over Barlow. Barlow discloses a cancel mechanism that enables a subsystem to generate cancel commands for accompanying a command specifying an operation to be performed. This is done when the state of a particular resource included within a subsystem memory, such as a lock mechanism, is to be altered without disturbing other parts of the memory subsystem. (See Barlow, column 2, lines 40-48). Barlow also discloses that a lock indicator device can be set during a read portion of a read-modify-write instruction, with the lock being reset after the write portion of the read-modify-write instruction is completed. (See Barlow, column 1, lines 53-57).

Neither Barlow nor any other cited art, however, teaches or suggests, alone or in combination, locking a resource prior to completing a hazard determination related to an access to the resource. Nor does the cited art teach or suggest, alone or in combination, a processor adapted to speculatively dispatch a load operation to a cache unit prior to determining whether a read-after-write hazard is present. For at least these reasons, the applicant submits that new claims 21-55 are allowable over the art of record, and respectfully request prompt allowance of these claims.

In summary, claims 21-55 are in the case. All claims are believed to be allowable over the art of record, and a Notice of Allowance to that effect is respectfully solicited. Nonetheless, if any issues remain that could be more efficiently handled by telephone, the Examiner is requested to call the undersigned at the number listed below.

<u>CERTIFICATE OF MAILING OR TRANSMISSION</u>	
I hereby certify that, on the date shown below, this correspondence is being	
<input type="checkbox"/>	deposited with the US Postal Service with sufficient postage as first class mail, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
<input type="checkbox"/>	facsimile transmitted to the US Patent and Trademark Office.
_____ Edward J. Marshall	_____ Date
EXPRESS MAIL LABEL: <u>EV401039114US</u>	

Respectfully submitted,



Edward J. Marshall, Reg. No. 45,395
Attorney for Applicant
(512) 338-6321
(512) 338-6301 (fax)